IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPEAL NO.733 OF 1997
IN
SUIT NO.869 OF 1975

Navjivan Chit Fund Pvt.Ltd. & another .. Appellants
V/s.
Fadhruddin Nuruddin & others .. Respondents

Mr.V.C.Kotwal, Senior Counsel with Ms.Meena Madhusudan i/by M/s.Eastley Lam & Co. for the appellants.

Mr.U.J.Makhija i/by M/s.Shantilal & Co. for the respondents.

CORAM : R.M. LODHA &
ANOOP V. MOHTA, JJ

DATED : 19TH JANUARY, 2006

P.C.

The learned senior counsel and the counsel for the parties handed in the consent terms, marked "X" for identification purposes.

2. The consent terms are signed by the appellant No.1 and appellant No.2 and also by their advocates. The consent terms are also signed by respondent No.2(a) for himself and as Constituted Attorney of respondent Nos. 2(b), (c) and (d), by respondent No.9 for himself and as Constituted Attorney of respondent No.3(a), 4,5,7 and 8 and by respondent No.3 for himself and as Constituted Attorney for respondent Nos.6 and 10 and their advocates.

3. The appeal is disposed of in terms of consent terms. The undertaking given by the appellants in paragraph 7 of the consent terms is accepted.

4. In view of disposal of appeal, security furnished by the respondents pursuant to the order dated 6th August, 1997 is ordered to be released and the amount lying in the account of appeal is allowed to be withdrawn by the respondents.

No costs.

(R.M. LODHA, J.)

(ANOOP V. MOHTA, J.)